

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**

S.B. Civil Writ Petition No. 982/2022

1. Tej Singh S/o Shri Alam Singh, Aged About 55 Years, R/o Village Karmo Ki Dhani, Chandhan ,tehsil And District Jaisalmer (Raj.).
2. Rana Singh S/o Shri Alam Singh, Aged About 65 Years, R/o Village Karmo Ki Dhani, Chandhan ,tehsil And District Jaisalmer (Raj.).
3. Shey Kanwar W/o Shri Rana Singh, Aged About 60 Years, R/o Village Karmo Ki Dhani, Chandhan ,tehsil And District Jaisalmer (Raj.).
4. Jog Singh S/o Shri Rana Singh, Aged About 30 Years, R/o Village Karmo Ki Dhani, Chandhan ,tehsil And District Jaisalmer (Raj.).
5. Bheru Singh S/o Shri Rana Singh, Aged About 25 Years, R/o Village Karmo Ki Dhani, Chandhan ,tehsil And District Jaisalmer (Raj.).
6. Iveer Singh S/o Shri Rana Singh, Aged About 22 Years, R/o Village Karmo Ki Dhani, Chandhan ,tehsil And District Jaisalmer (Raj.).
7. Bhawani Singh S/o Shri Tej Singh, Aged About 28 Years, R/o Village Karmo Ki Dhani, Chandhan ,tehsil And District Jaisalmer (Raj.).
8. Madan Singh S/o Shri Tej Singh, Aged About 24 Years, R/o Village Karmo Ki Dhani, Chandhan ,tehsil And District Jaisalmer (Raj.).
9. Rekha Kanwar W/o Shri Bhawani Singh, Aged About 22 Years, R/o Village Karmo Ki Dhani, Chandhan ,tehsil And District Jaisalmer (Raj.).
10. Babu Kanwar W/o Shri Tej Singh, Aged About 28 Years, R/o Village Karmo Ki Dhani, Chandhan ,tehsil And District Jaisalmer (Raj.).

-----Petitioners

Versus

1. The State Of Rajasthan, Through The Secretary, Department Of Revenue, Government Of Rajasthan, Jaipur (Raj.).
2. The District Collector, Jaisalmer, District Jaisalmer.

3. The Sub Division Officer, Jaisalmer, District Jaisalmer (Raj.).
4. The Tehsildar, Jaisalmer, District Jaisalmer (Raj.).

----Respondents

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For Petitioner(s) : Mr. Ravinder Singh Champawat  
through V.C.

For Respondent(s) : ---

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**JUSTICE DINESH MEHTA**

**Order**

**20/01/2022**

1. By way of present writ petition, the petitioners have challenged the order dated 29.12.2021 passed by SDO, Jaisalmer (hereinafter referred to as the 'trial Court') in petitioners' injunction application filed under Section 212 of the Rajasthan Tenancy Act, 1955 (hereinafter referred to as the 'Act of 1955').
2. Brief facts of the case are that the petitioners have instituted a suit for declaration of rights under Section 88 along with an injunction application under Section 212 of the Act of 1955. Petitioners' injunction application has been rejected by the trial Court vide order dated 29.12.2021.
3. Instead of availing the remedies before the Appellate Authority, the petitioners have directly rushed to this Court *inter-alia* with the assertion that the respondent - Tehsildar is going to dispossess them.
4. A writ petition against rejection of TI application by the trial Court is not maintainable under Articles 226 and 227 of the Constitution, as a hierarchy of appellate authorities have been provided in the Act of 1955. The petitioners are required to avail remedy of appeal available to them in accordance with law.

5. Writ petition, therefore, fails.
6. Needless to observe that, the petitioners shall be free to avail remedy available under the Act of 1955.
7. Stay application also stands disposed of accordingly.

**(DINESH MEHTA),J**

14-jayesh/-

RAJASTHAN HIGH COURT



सत्यमेव जयते